

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
ABILENE DIVISION**

**PELAGIC ENERGY,**

**Plaintiff,**

**vs.**

**LIBERTY MUTUAL INSURANCE,**

**Defendant.**

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**CIVIL ACTION NO. 1:17-cv-00137**

**JOINT MOTION TO DISMISS WITH PREJUDICE**

Plaintiff Pelagic Energy and Defendant Ohio Security Insurance Company, incorrectly served and sued as “Liberty Mutual Insurance,” file this Joint Motion to Dismiss with prejudice, and in support thereof would respectfully show the Court as follows:

All matters between the parties have been fully settled. Accordingly, the parties now request that this matter, including all claims that have been and/or could have been asserted in this matter against Defendant Ohio Security Insurance Company, be dismissed with prejudice to the re-filing of same.

WHEREFORE, PREMISES CONSIDERED, Plaintiff and Defendant request that the above-styled and numbered case be dismissed with prejudice to the re-filing of same, with costs of Court to be taxed against the party incurring same.

Respectfully Submitted,



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**ATTORNEYS FOR PLAINTIFF  
PELAGIC ENERGY**

*/s/ Colin R. Batchelor*

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**ATTORNEYS FOR DEFENDANT  
OHIO SECURITY INSURANCE  
COMPANY**

<b>CERTIFICATE OF SERVICE</b>
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In accordance with Rules 21 and 21a of the Texas Rules of Civil Procedure, on November 30, 2017, a true and correct copy of the above and foregoing instrument was served *via facsimile or electronic service* upon:

**ATTORNEYS FOR PLAINTIFF**

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/s/ Colin Batchelor  
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